

**ASSEMBLY BILL**

**No. 722**

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**Introduced by Assembly Member Bonnie Lowenthal  
(Coauthors: Assembly Members Beall and Chesbro)**

February 26, 2009

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An act relating to health care coverage.

LEGISLATIVE COUNSEL'S DIGEST

AB 722, as introduced, Bonnie Lowenthal. Preexisting conditions.

Existing law provides for licensing and regulation of health care service plans by the Department of Managed Health Care. Existing law provides for the regulation of health insurers by the Insurance Commissioner. Existing law authorizes a health care service plan or health insurer to exclude an applicant from coverage for a specified time for preexisting conditions.

This bill would state the intent of the Legislature, in the absence of comprehensive health care reform that guarantees group coverage to all, to enact legislation to provide that a person with a history of seeking mental health treatment or of having a prescription for mental health medication shall not be determined to have a preexisting condition or otherwise be denied coverage by a health care service plan or a health insurer.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. It is the intent of the Legislature, in the absence  
2 of comprehensive health care reform that guarantees group

1 coverage to all, to enact legislation to provide that a person with  
2 a history of seeking mental health treatment or of having a  
3 prescription for mental health medication shall not be determined  
4 to have a preexisting condition or otherwise be denied coverage  
5 by a health care service plan or a health insurer.

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